



Fair Political Practices Commission

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NEWS RELEASE

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Commission, Caroline Getty agree to \$135,000 civil settlement *Getty unlawfully used Wild Rose, LLC, to funnel contributions*

The Fair Political Practices Commission has reached a \$135,000 civil settlement with Caroline Getty and her company, Wild Rose, LLC, for illegally funneling \$1 million in political contributions to support California ballot measures in 2000 and 2002.

The FPPC suit alleged that in January 2000, Getty, an heir to the Getty oil fortune, used Wild Rose, LLC, as a conduit for a \$500,000 political contribution in order to disguise that she was making the contribution from her personal trust account. She then failed to file a major donor campaign statement disclosing that she made the contribution. The suit also alleged that in 2002 she made another \$500,000 political contribution through Wild Rose, LLC, to again disguise her identity as the source of the contribution.

The civil lawsuit was filed by the FPPC in Sacramento Superior Court on Oct. 16, 2003. Getty filed a motion to have the case dismissed in December 2003, but that motion was denied by Superior Court Judge Shelleyanne W.L. Chang on Jan. 16, 2004. The parties subsequently engaged in discussions that led to a stipulated judgment settling the case. The final judgment, based on a stipulation signed by the FPPC and Getty, was approved on March 25 by Judge Chang and received by the FPPC today (March 30).

Copies of the complaint, stipulation and judgment are available in the litigation section of the FPPC web site at www.fppc.ca.gov.

According to documents filed in the case, in January 2000, Getty directed her wholly owned company, Wild Rose, LLC, established in the State of Washington, to make a \$500,000 contribution to the Nature Conservancy Action Fund of California to support two California ballot measures. The ballot measures were Proposition 12, a bond measure to finance the purchase of land for public use, and Proposition 13, a bond measure to finance water-quality improvement projects. Both were passed by voters.

Wild Rose issued a check for the \$500,000 contribution as directed, but did not have sufficient funds to cover it. Getty then supplied the funding for the check by transferring \$500,000 from her personal trust account to Wild Rose. Getty was not disclosed as the true

source of the contribution -- either by Getty or by Wild Rose -- when the contribution was made.

Getty violated the Act by not filing a campaign statement disclosing the contribution, and Wild Rose failed to file a campaign statement disclosing Getty -- rather than itself -- as the source of the contribution.

Getty then committed a similar violation in January 2002, in which she again directed Wild Rose to make a \$500,000 contribution to the Nature Conservancy Action Fund to support Proposition 40 on the California ballot. Approved by the voters, Proposition 40 was a bond measure to purchase and improve park lands. At about the same time, Getty transferred \$500,000 from her personal trust account to Wild Rose, as the company did not have sufficient funds to make such a contribution. Upon receiving the transfer, Wild Rose issued a \$500,000 contribution check to support Proposition 40. At the time the contribution was made, Getty once again was not disclosed as the true source of the contribution.

The Getty case was handled as a civil lawsuit, rather than as an administrative action, and the terms of the settlement were brought before the members of the commission for approval during an earlier closed-session discussion of pending litigation. Because of the large amount of the contributions involved, the case was handled as a civil action to allow for the possibility of a higher fine.

An administrative action is the FPPC's more common method of prosecution in enforcement matters. For the 2000 election, the maximum possible administrative penalty was \$2,000 per violation. For the 2002 election, the maximum possible administrative penalty was \$5,000 per violation (the maximum administrative penalty was raised to \$5,000 with the passage of Proposition 34).

Commission Counsel Jeffery Sly and Investigator III Jon Wroten handled the case for the FPPC.

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